

authorized by section 5724 of title 5 for all such special agents appointed after January 1, 1977.

(e) Interior appropriations budget proposal

The Secretary shall identify the funds utilized to enforce this chapter and any regulations thereto as a specific appropriations item in the Department of the Interior appropriations budget proposal to the Congress.

(Pub. L. 97–79, §9(a)–(c), (g), (h), Nov. 16, 1981, 95 Stat. 1079, 1080.)

REFERENCES IN TEXT

The Black Bass Act, referred to in subsec. (b)(1), is act May 20, 1926, ch. 346, 44 Stat. 576, as amended, which was classified generally to chapter 13 (§851 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Subsecs. (d) and (e) of this section were in the original subsecs. (g) and (h), respectively, of section 9 of Pub. L. 97–79 and were redesignated for purposes of codification.

CHAPTER 54—RESOURCE CONSERVATION

**SUBCHAPTER I—SOIL AND WATER
CONSERVATION**

Sec.
3401. Repealed.

**SUBCHAPTER II—SPECIAL AREAS CONSERVATION
PROGRAM**

3411 to 3420. Repealed.

**SUBCHAPTER III—MATCHING GRANTS FOR
CONSERVATION ACTIVITIES**

3431 to 3436. Repealed.

**SUBCHAPTER IV—RESERVOIR SEDIMENTATION
REDUCTION PROGRAM**

- 3441 to 3445. Repealed.
- 3451. Definitions.
- 3452. Resource conservation and development program.
- 3453. Selection of designated areas.
- 3454. Powers of the Secretary.
- 3455. Eligibility; terms and conditions.
- 3456. Resource Conservation and Development Policy Advisory Board.
- 3457. Repealed.
- 3458. Limitation on assistance.
- 3459. Supplemental authority of the Secretary.
- 3460. Authorization of appropriations.

SUBCHAPTER VI—MISCELLANEOUS PROVISIONS

- 3471. Payments for land removed from production for conservation purposes; authorization of appropriations.
- 3472. Conservation tillage; Congressional findings, etc.
- 3473. Regulations.

**SUBCHAPTER I—SOIL AND WATER
CONSERVATION**

**§ 3401. Repealed. Pub. L. 104–127, title III,
§ 336(f)(1), Apr. 4, 1996, 110 Stat. 1007**

Section, Pub. L. 97–98, title XV, §1501, Dec. 22, 1981, 95 Stat. 1328, reaffirmed congressional policy regarding soil and water conservation.

**SUBCHAPTER II—SPECIAL AREAS
CONSERVATION PROGRAM**

**§§ 3411 to 3414. Repealed. Pub. L. 104–127, title
III, § 336(f)(1), Apr. 4, 1996, 110 Stat. 1007**

Section 3411, Pub. L. 97–98, title XV, §1502, Dec. 22, 1981, 95 Stat. 1328, set forth findings relating to special areas conservation.

Section 3412, Pub. L. 97–98, title XV, §1503, Dec. 22, 1981, 95 Stat. 1329, related to program formulation and implementation.

Section 3413, Pub. L. 97–98, title XV, §1504, Dec. 22, 1981, 95 Stat. 1331, related to designation of geographic area as special area.

Section 3414, Pub. L. 97–98, title XV, §1505, Dec. 22, 1981, 95 Stat. 1331, set forth limitations on contracts under program.

**§ 3415. Repealed. Pub. L. 104–66, title I, § 1011(p),
Dec. 21, 1995, 109 Stat. 710**

Section, Pub. L. 97–98, title XV, §1506, Dec. 22, 1981, 95 Stat. 1332, directed Secretary to submit copies of special area reports to Congress.

**§§ 3416 to 3418. Repealed. Pub. L. 104–127, title
III, § 336(f)(1), Apr. 4, 1996, 110 Stat. 1007**

Section 3416, Pub. L. 97–98, title XV, §1506, formerly §1507, Dec. 22, 1981, 95 Stat. 1332; renumbered §1506, Pub. L. 104–66, title I, §1011(p), Dec. 21, 1995, 109 Stat. 710, related to utilization of services and facilities in carrying out provisions of this subchapter.

Section 3417, Pub. L. 97–98, title XV, §1507, formerly §1508, Dec. 22, 1981, 95 Stat. 1332; renumbered §1507, Pub. L. 104–66, title I, §1011(p), Dec. 21, 1995, 109 Stat. 710, authorized expenditure of funds for improvement of technology.

Section 3418, Pub. L. 97–98, title XV, §1508, formerly §1509, Dec. 22, 1981, 95 Stat. 1332; renumbered §1508, Pub. L. 104–66, title I, §1011(p), Dec. 21, 1995, 109 Stat. 710, authorized appropriations to carry out subchapter programs.

**§ 3419. Repealed. Pub. L. 104–66, title I, § 1011(q),
Dec. 21, 1995, 109 Stat. 710**

Section, Pub. L. 97–98, title XV, §1510, Dec. 22, 1981, 95 Stat. 1332, directed Secretary to submit reports to Congress concerning operation of special areas conservation program.

**§ 3420. Repealed. Pub. L. 104–127, title III,
§ 336(f)(1), Apr. 4, 1996, 110 Stat. 1007**

Section, Pub. L. 97–98, title XV, §1509, formerly §1511, Dec. 22, 1981, 95 Stat. 1332; renumbered §1509, Pub. L. 104–66, title I, §1011(p), Dec. 21, 1995, 109 Stat. 710, provided for protection of program participants.

**SUBCHAPTER III—MATCHING GRANTS FOR
CONSERVATION ACTIVITIES**

**§§ 3431 to 3436. Repealed. Pub. L. 104–127, title
III, § 336(f)(1), Apr. 4, 1996, 110 Stat. 1007**

Section 3431, Pub. L. 97–98, title XV, §1514, Dec. 22, 1981, 95 Stat. 1333, authorized formulation and implementation of grants program.

Section 3432, Pub. L. 97–98, title XV, §1515, Dec. 22, 1981, 95 Stat. 1334, related to program and plan review and implementation.

Section 3433, Pub. L. 97–98, title XV, §1516, Dec. 22, 1981, 95 Stat. 1334, related to long-range programs and annual work plans.

Section 3434, Pub. L. 97–98, title XV, §1517, Dec. 22, 1981, 95 Stat. 1334, authorized technical assistance to landowners and operators.

Section 3435, Pub. L. 97–98, title XV, §1518, Dec. 22, 1981, 95 Stat. 1335, related to recordkeeping, audit and examination, and access to books and records.

Section 3436, Pub. L. 97-98, title XV, §1519, Dec. 22, 1981, 95 Stat. 1335, authorized appropriations to carry out provisions of subchapter III.

SUBCHAPTER IV—RESERVOIR SEDIMENTATION REDUCTION PROGRAM

§§ 3441 to 3445. Repealed. Pub. L. 104-127, title III, § 336(f)(1), Apr. 4, 1996, 110 Stat. 1007

Section 3441, Pub. L. 97-98, title XV, §1521, Dec. 22, 1981, 95 Stat. 1336, authorized formulation and implementation of reservoir sedimentation reduction program.

Section 3442, Pub. L. 97-98, title XV, §1522, Dec. 22, 1981, 95 Stat. 1336, related to preparation and contents of plan.

Section 3443, Pub. L. 97-98, title XV, §1523, Dec. 22, 1981, 95 Stat. 1336, related to approval of plans by Congress.

Section 3444, Pub. L. 97-98, title XV, §1524, Dec. 22, 1981, 95 Stat. 1336, authorized appropriations for carrying out provisions of subchapter IV.

Section 3445, Pub. L. 97-98, title XV, §1525, Dec. 22, 1981, 95 Stat. 1337, required report to Congress by Jan. 1, 1987, evaluating program.

SUBCHAPTER V—RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM

CODIFICATION

Subtitle H of title XV of the Agriculture and Food Act of 1981, comprising this subchapter, was originally enacted by Pub. L. 97-98, title XV, Dec. 22, 1981, 95 Stat. 1337, and amended by Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3359; Pub. L. 104-127, Apr. 4, 1996, 110 Stat. 888. Subtitle H is shown herein, however, as having been added by Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 269, without reference to the intervening amendments because of the extensive revision of the subtitle's provisions by Pub. L. 107-171.

§ 3451. Definitions

In this subchapter:

(1) Area plan

The term “area plan” means a resource conservation and use plan developed through a locally led planning process by a council for a designated area of 1 or more States, or of land under the jurisdiction of an Indian tribe, that includes 1 or more of the following elements:

(A) A land conservation element, the purpose of which is to control erosion and sedimentation.

(B) A water management element that provides 1 or more clear environmental or conservation benefits, the purpose of which is to provide for—

(i) the conservation, use, and quality of water, including irrigation and rural water supplies;

(ii) the mitigation of floods and high water tables;

(iii) the repair and improvement of reservoirs;

(iv) the improvement of agricultural water management; and

(v) the improvement of water quality.

(C) A community development element, the purpose of which is to improve—

(i) the development of resources-based industries;

(ii) the protection of rural industries from natural resource hazards;

(iii) the development of adequate rural water and waste disposal systems;

(iv) the improvement of recreation facilities;

(v) the improvement in the quality of rural housing;

(vi) the provision of adequate health and education facilities;

(vii) the satisfaction of essential transportation and communication needs; and

(viii) the promotion of food security, economic development, and education.

(D) A land management element, the purpose of which is—

(i) energy conservation, including the production of energy crops;

(ii) the protection of agricultural land, as appropriate, from conversion to other uses;

(iii) farmland protection; and

(iv) the protection of fish and wildlife habitats.

(2) Board

The term “Board” means the Resource Conservation and Development Policy Advisory Board established under section 3456(a) of this title.

(3) Council

The term “council” means a nonprofit entity (including an affiliate of the entity) operating in a State that is—

(A) established by volunteers or representatives of States, local units of government, Indian tribes, or local nonprofit organizations to carry out an area plan in a designated area; and

(B) designated by the chief executive officer or legislature of the State to receive technical assistance and financial assistance under this subchapter.

(4) Designated area

The term “designated area” means a geographic area designated by the Secretary to receive technical assistance and financial assistance under this subchapter.

(5) Financial assistance

The term “financial assistance” means a grant or loan provided by the Secretary (or the Secretary and other Federal agencies) to, or a cooperative agreement entered into by the Secretary (or the Secretary and other Federal agencies) with, a council, or association of councils, to carry out an area plan in a designated area, including assistance provided for planning, analysis, feasibility studies, training, education, and other activities necessary to carry out the area plan.

(6) Indian tribe

The term “Indian tribe” has the meaning given the term in section 450b of title 25.

(7) Local unit of government

The term “local unit of government” means—

(A) any county, city, town, township, parish, village, or other general-purpose subdivision of a State; and

(B) any local or regional special district or other limited political subdivision of a

State, including any soil conservation district, school district, park authority, and water or sanitary district.

(8) Locally led planning process

The term “planning process” means actions taken by a locally led council to develop and carry out an effective area plan in a designated area, including development of the area plan, goals, purposes, policies, implementation activities, evaluations and reviews, and the opportunity for public participation in the actions.

(9) Nonprofit organization

The term “nonprofit organization” means any organization that is—

- (A) described in section 501(c) of title 26; and
- (B) exempt from taxation under section 501(a) of title 26.

(10) Project

The term “project” means a project that is carried out by a council to achieve any of the elements of an area plan.

(11) Secretary

The term “Secretary” means the Secretary of Agriculture.

(12) State

The term “State” means—

- (A) any State;
- (B) the District of Columbia; or
- (C) any territory or possession of the United States.

(13) Technical assistance

The term “technical assistance” means any service provided by the Secretary or agent of the Secretary, including—

- (A) inventorying, evaluating, planning, designing, supervising, laying out, and inspecting projects;
- (B) providing maps, reports, and other documents associated with the services provided;
- (C) providing assistance for the implementation of area plans and projects; and
- (D) providing services that involve the resources of Department of Agriculture programs in a local community, as defined in the locally led planning process.

(Pub. L. 97-98, title XV, § 1528, as added Pub. L. 107-171, title II, § 2504, May 13, 2002, 116 Stat. 269; Pub. L. 110-234, title II, § 2805(a), (b), May 22, 2008, 122 Stat. 1088; Pub. L. 110-246, § 4(a), title II, § 2805(a), (b), June 18, 2008, 122 Stat. 1664, 1816.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

PRIOR PROVISIONS

A prior section 3451, Pub. L. 97-98, title XV, § 1528, Dec. 22, 1981, 95 Stat. 1337, related to statement of purpose, prior to the general amendment of this subchapter by Pub. L. 107-171.

AMENDMENTS

2008—Par. (1). Pub. L. 110-246, § 2805(a)(1), substituted “locally led planning process” for “planning process” in introductory provisions.

Pars. (8), (9). Pub. L. 110-246, § 2805(a)(2), (3), redesignated pars. (9) and (8) as (8) and (9), respectively, and, in par. (8), substituted “Locally led planning process” for “Planning process” in heading and “locally led council” for “council” in text.

Par. (13)(C), (D). Pub. L. 110-246, § 2805(b), added subpars. (C) and (D) and struck out former subpars. (C) and (D) which read as follows:

- “(C) providing assistance for the long-term implementation of area plans; and
- “(D) providing services of an agency of the Department of Agriculture to assist councils in developing and carrying out area plans.”

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

§ 3452. Resource conservation and development program

The Secretary shall establish a resource conservation and development program under which the Secretary shall provide technical assistance and financial assistance to councils to develop and carry out area plans and projects in designated areas—

- (1) to conserve and improve the use of land, develop natural resources, and improve and enhance the social, economic, and environmental conditions in primarily rural areas of the United States; and
- (2) to encourage and improve the capability of State,¹ units of government, Indian tribes, nonprofit organizations, and councils to carry out the purposes described in paragraph (1).

(Pub. L. 97-98, title XV, § 1529, as added Pub. L. 107-171, title II, § 2504, May 13, 2002, 116 Stat. 272.)

PRIOR PROVISIONS

A prior section 3452, Pub. L. 97-98, title XV, § 1529, Dec. 22, 1981, 95 Stat. 1337, related to definitions, prior to the general amendment of this subchapter by Pub. L. 107-171.

§ 3453. Selection of designated areas

The Secretary shall select designated areas for assistance under this subchapter on the basis of the elements of area plans.

(Pub. L. 97-98, title XV, § 1530, as added Pub. L. 107-171, title II, § 2504, May 13, 2002, 116 Stat. 272.)

PRIOR PROVISIONS

A prior section 3453, Pub. L. 97-98, title XV, § 1530, Dec. 22, 1981, 95 Stat. 1339, related to the establishment and scope of resource conservation and development program, prior to the general amendment of this subchapter by Pub. L. 107-171.

§ 3454. Powers of the Secretary

(a) In general

In carrying out this subchapter, the Secretary may—

- (1) provide technical assistance to any council to assist in developing and implementing an area plan for a designated area;
- (2) cooperate with other departments and agencies of the Federal Government, States,

¹ So in original.

local units of government, local Indian tribes, and local nonprofit organizations in conducting surveys and inventories, disseminating information, and developing area plans;

(3) assist in carrying out an area plan approved by the Secretary for any designated area by providing technical assistance and financial assistance to any council; and

(4) enter into agreements with councils in accordance with section 3455 of this title.

(b) Coordinator

(1) In general

To improve the provision of technical assistance to councils under this subchapter, the Secretary shall designate for each council an individual to be the coordinator for the council.

(2) Responsibility

A coordinator for a council shall be directly responsible for the provision of technical assistance to the council.

(Pub. L. 97-98, title XV, §1531, as added Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 272; amended Pub. L. 110-234, title II, §2805(c), May 22, 2008, 122 Stat. 1088; Pub. L. 110-246, §4(a), title II, §2805(c), June 18, 2008, 122 Stat. 1664, 1816.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

PRIOR PROVISIONS

A prior section 3454, Pub. L. 97-98, title XV, §1531, Dec. 22, 1981, 95 Stat. 1339, related to selection of designated areas for assistance, prior to the general amendment of this subchapter by Pub. L. 107-171.

AMENDMENTS

2008—Pub. L. 110-246, §2805(c), designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

§ 3455. Eligibility; terms and conditions

(a) Eligibility

Technical assistance and financial assistance may be provided by the Secretary under this subchapter to any council to assist in carrying out a project specified in an area plan approved by the Secretary only if—

(1) the council agrees in writing—

(A) to carry out the project; and

(B) to finance or arrange for financing of any portion of the cost of carrying out the project for which financial assistance is not provided by the Secretary under this subchapter;

(2) the project is included in an area plan and is approved by the council;

(3) the Secretary determines that assistance is necessary to carry out the area plan;

(4) the project provided for in the area plan is consistent with any comprehensive plan for the area;

(5) the cost of the land or an interest in the land acquired or to be acquired under the plan by any State, local unit of government, Indian tribe, or local nonprofit organization is borne by the State, local unit of government, Indian tribe, or local nonprofit organization, respectively; and

(6) the State, local unit of government, Indian tribe, or local nonprofit organization participating in the area plan agrees to maintain and operate the project.

(b) Loans

(1) In general

Subject to paragraphs (2) and (3), a loan made under this subchapter shall be made on such terms and conditions as the Secretary may prescribe.

(2) Term

A loan for a project made under this subchapter shall have a term of not more than 30 years after the date of completion of the project.

(3) Interest rate

A loan made under this subchapter shall bear interest at the average rate of interest paid by the United States on obligations of a comparable term, as determined by the Secretary of the Treasury.

(c) Approval by Secretary

Technical assistance and financial assistance under this subchapter may not be made available to a council to carry out an area plan unless the area plan has been submitted to and approved by the Secretary.

(d) Withdrawal

The Secretary may withdraw technical assistance and financial assistance with respect to any area plan if the Secretary determines that the assistance is no longer necessary or that sufficient progress has not been made toward developing or implementing the elements of the area plan.

(Pub. L. 97-98, title XV, §1532, as added Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 272.)

PRIOR PROVISIONS

A prior section 3455, Pub. L. 97-98, title XV, §1532, Dec. 22, 1981, 95 Stat. 1339, related to authority of the Secretary to carry out provisions of this subchapter, prior to the general amendment of this subchapter by Pub. L. 107-171.

§ 3456. Resource Conservation and Development Policy Advisory Board

(a) Establishment

The Secretary shall establish within the Department of Agriculture a Resource Conservation and Development Policy Advisory Board.

(b) Composition

(1) In general

The Board shall be composed of at least 7 employees of the Department of Agriculture selected by the Secretary.

(2) Chairperson

A member of the Board shall be designated by the Secretary to serve as chairperson of the Board.

(c) Duties

The Board shall advise the Secretary regarding the administration of this subchapter, including the formulation of policies for carrying out this subchapter.

(Pub. L. 97–98, title XV, §1533, as added Pub. L. 107–171, title II, §2504, May 13, 2002, 116 Stat. 273.)

PRIOR PROVISIONS

A prior section 3456, Pub. L. 97–98, title XV, §1533, Dec. 22, 1981, 95 Stat. 1339, related to technical and financial assistance to carry out specified works of improvement, prior to the general amendment of this subchapter by Pub. L. 107–171.

TERMINATION OF ADVISORY BOARDS

Advisory boards established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a board established by the President or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 3457. Repealed. Pub. L. 110–234, title II, § 2805(d), May 22, 2008, 122 Stat. 1089, and Pub. L. 110–246, § 4(a), title II, § 2805(d), June 18, 2008, 122 Stat. 1664, 1817

Section, Pub. L. 97–98, title XV, §1534, as added Pub. L. 107–171, title II, §2504, May 13, 2002, 116 Stat. 273, related to evaluation of program established under this subchapter and submission of report not later than June 30, 2005.

CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 repealed this section. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246.

PRIOR PROVISIONS

A prior section 3457, Pub. L. 97–98, title XV, §1534, Dec. 22, 1981, 95 Stat. 1340, related to the Resource Conservation and Development Policy Board, prior to the general amendment of this subchapter by Pub. L. 107–171.

EFFECTIVE DATE OF REPEAL

Repeal of this section and repeal of Pub. L. 110–234 by Pub. L. 110–246 effective May 22, 2008, the date of enactment of Pub. L. 110–234, see section 4 of Pub. L. 110–246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

§ 3458. Limitation on assistance

In carrying out this subchapter, the Secretary shall provide technical assistance and financial assistance with respect to not more than 450 active designated areas.

(Pub. L. 97–98, title XV, §1535, as added Pub. L. 107–171, title II, §2504, May 13, 2002, 116 Stat. 274.)

PRIOR PROVISIONS

A prior section 3458, Pub. L. 97–98, title XV, §1535, Dec. 22, 1981, 95 Stat. 1340, related to program evaluation, prior to the general amendment of this subchapter by Pub. L. 107–171.

§ 3459. Supplemental authority of the Secretary

The authority of the Secretary under this subchapter to assist councils in the development

and implementation of area plans shall be supplemental to, and not in lieu of, any authority of the Secretary under any other provision of law.

(Pub. L. 97–98, title XV, §1536, as added Pub. L. 107–171, title II, §2504, May 13, 2002, 116 Stat. 274.)

PRIOR PROVISIONS

A prior section 3459, Pub. L. 97–98, title XV, §1536, Dec. 22, 1981, 95 Stat. 1340; Pub. L. 101–624, title XIV, §1452(a), Nov. 28, 1990, 104 Stat. 3611, related to limitation on assistance, prior to the general amendment of this subchapter by Pub. L. 107–171.

§ 3460. Authorization of appropriations**(a) In general**

There are authorized to be¹ such sums as are necessary to carry out this subchapter.

(b) Loans

The Secretary shall not use more than \$15,000,000 of any funds made available for a fiscal year to make loans under this subchapter.

(c) Availability

Funds appropriated to carry out this subchapter shall remain available until expended.

(Pub. L. 97–98, title XV, §1537, as added Pub. L. 107–171, title II, §2504, May 13, 2002, 116 Stat. 274.)

PRIOR PROVISIONS

Prior sections 3460 and 3461 were omitted in the general amendment of this subchapter by Pub. L. 107–171.

Section 3460, Pub. L. 97–98, title XV, §1537, Dec. 22, 1981, 95 Stat. 1340, related to supplemental authority of Secretary.

Section 3461, Pub. L. 97–98, title XV, §1538, Dec. 22, 1981, 95 Stat. 1341; Pub. L. 101–624, title XIV, §1452(b), Nov. 28, 1990, 104 Stat. 3611; Pub. L. 104–127, title III, §383, Apr. 4, 1996, 110 Stat. 1016, authorized appropriations for each of the fiscal years 1996 through 2002.

**SUBCHAPTER VI—MISCELLANEOUS
PROVISIONS**

§ 3471. Payments for land removed from production for conservation purposes; authorization of appropriations

(a) The Secretary of Agriculture may enter into contracts to provide financial assistance in the form of payments to owners and operators of cropland located in counties where the soil normally freezes to a depth of at least four inches annually who remove such land from agricultural production for a period not to exceed one year for the purpose of installing enduring conservation measures which involve excavation of the soil. The payments under such contracts shall be in such amounts as determined by the Secretary to be necessary to effectuate the purposes of this subchapter but shall not exceed an amount equal to the number of acres of cropland removed from agricultural production for such purpose multiplied by 50 per centum of the typical annual rent, as determined by the Secretary, paid for similar land in the county. Financial assistance may not be provided under this section with respect to any conservation measure without the approval of the soil and water con-

¹So in original. Probably should be followed by “appropriated”.

servation district board for the district in which the land is located, and may not, in the aggregate, be provided in any year with respect to more than one-half of 1 per centum of the cropland in any county.

(b) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, such sums to remain available until expended.

(Pub. L. 97-98, title XV, §1552, Dec. 22, 1981, 95 Stat. 1344.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original “this subtitle”, meaning subtitle J (§§1550-1554) of title XV of Pub. L. 97-98, Dec. 22, 1981, 95 Stat. 1344, which enacted this subchapter and section 2273 of Title 7, Agriculture, and amended section 1236 of Title 30, Mineral Lands and Mining. For complete classification of subtitle J to the Code, see Tables.

§ 3472. Conservation tillage; Congressional findings, etc.

(a) Congress finds that—

(1) domestic and international demand for agricultural products from the United States is great and is expected to significantly increase over the next twenty years;

(2) the ability of the United States to provide agricultural products to meet that demand is seriously impaired by the annual loss of five billion tons of soil due to wind and water erosion;

(3) the battle against soil erosion is being lost despite the annual expenditure of millions of dollars by the Federal Government on research, technical assistance, and conservation incentives to control soil erosion;

(4) conservation tillage practices are estimated to reduce soil erosion by 50 to 90 per centum over conventional farming practices; and

(5) conservation tillage may result in better yields, greater land use flexibility, decreased fuel use, decreased labor and equipment costs, increased retention of soil moisture, and more productive land than conventional farming practices and may be adaptable to a broad range of soil types and slopes throughout the country.

(b) It is the sense of Congress that the Secretary of Agriculture should, and is hereby urged and requested to—

(1) direct the attention of our Nation’s farmers to the costs and benefits of conservation tillage as a means of controlling soil erosion and improving profitability; and

(2) conduct a program of research designed to resolve any unanswered questions regarding the advantages and disadvantages of conservation tillage over other soil conservation practices.

(Pub. L. 97-98, title XV, §1553, Dec. 22, 1981, 95 Stat. 1345.)

§ 3473. Regulations

The Secretary of Agriculture shall prescribe such regulations as may be necessary to carry out the provisions of this chapter.

(Pub. L. 97-98, title XV, §1554, Dec. 22, 1981, 95 Stat. 1345.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title XV of Pub. L. 97-98, Dec. 22, 1981, 95 Stat. 1328, which enacted this chapter and sections 2272 and 2273 and chapter 73 (§4201 et seq.) of Title 7, Agriculture, amended sections 1002 to 1005 of this title, section 1010 of Title 7, section 714b of Title 15, Commerce and Trade, and section 1236 of Title 30, Mineral Lands and Mining, and enacted a provision set out as a note under section 2272 of Title 7.

CHAPTER 55—COASTAL BARRIER RESOURCES

Sec.	
3501.	Congressional statement of findings and purpose.
3502.	Definitions.
3503.	Establishment of John H. Chafee Coastal Barrier Resources System.
3504.	Limitations on Federal expenditures affecting the System.
3505.	Exceptions to limitations on expenditures.
3506.	Certification of compliance.
3507.	Priority of laws.
3508.	Separability.
3509.	Repealed.
3510.	Authorization of appropriations.

§ 3501. Congressional statement of findings and purpose

(a) The Congress finds that—

(1) coastal barriers along the Atlantic and Gulf coasts and along the shore areas of the Great Lakes of the United States and the adjacent wetlands, marshes, estuaries, inlets and nearshore waters provide—

(A) habitats for migratory birds and other wildlife; and

(B) habitats which are essential spawning, nursery, nesting, and feeding areas for commercially and recreationally important species of finfish and shellfish, as well as other aquatic organisms such as sea turtles;

(2) coastal barriers contain resources of extraordinary scenic, scientific, recreational, natural, historic, archeological, cultural, and economic importance; which are being irretrievably damaged and lost due to development on, among, and adjacent to, such barriers;

(3) coastal barriers serve as natural storm protective buffers and are generally unsuitable for development because they are vulnerable to hurricane and other storm damage and because natural shoreline recession and the movement of unstable sediments undermine manmade structures;

(4) certain actions and programs of the Federal Government have subsidized and permitted development on coastal barriers and the result has been the loss of barrier resources, threats to human life, health, and property, and the expenditure of millions of tax dollars each year; and

(5) a program of coordinated action by Federal, State, and local governments is critical to the more appropriate use and conservation of coastal barriers.

(b) The Congress declares that it is the purpose of this chapter to minimize the loss of human life, wasteful expenditure of Federal revenues, and the damage to fish, wildlife, and